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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 DELPHINE ALLEN, et al.,
10 Plaintiffs,
11 v.
12 CITY OF OAKLAND, et al.,
13 Defendants.
14MASTER CASE FILE
NO. C00-4599 TEHORDER RE: OCTOBER 19, 2012
STIPULATION BETWEEN
PLAINTIFFS AND INTERVENOR
OAKLAND POLICE OFFICERS'
ASSOCIATION15 The Court is in receipt of the stipulation and proposed order filed by Plaintiffs and
16 Intervenor Oakland Police Officers' Association ("OPOA") on October 19, 2012. Plaintiffs
17 and the OPOA have reached an agreement concerning certain aspects of the remedy that
18 Plaintiffs intend to seek in their receivership motion, as well as the OPOA's intended
19 withdrawal of its motion for further intervention. They do not need the Court's approval to
20 enter into this agreement, and the Court therefore finds it unnecessary to sign the proposed
21 order accompanying their stipulation.22 However, Plaintiffs and the OPOA may not limit by agreement the scope of any
23 receivership the Court might impose. The Court must make that determination after carefully
24 examining all relevant factors. To assist with that determination, the Court is considering
25 appointing an expert witness under Federal Rule of Evidence 706. If the Court opts to pursue
26 such an appointment, it will allow the parties an opportunity to show cause as to why an
27 expert should not be appointed. *See* Fed. R. Evid. 706(a). The Court may also appoint
28 counsel to represent the expert. *See, e.g., Oracle America, Inc. v. Google Inc.*, Case No.

1 C10-3561 WHA, Order Appointing Rule 706 Expert and Counsel (Docket No. 374)
2 (N.D. Cal. Aug. 30, 2011).

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4 **IT IS SO ORDERED.**

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6 Dated: 10/22/12



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT